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THE CITY OF NEWARK by and through)	SUPERIOR COURT OF NEW JERSEY
its Mayor and MAYOR SHARPE JAMES;)	CHANCERY DIVISION
)	ESSEX COUNTY
Plaintiff,)
v.) Docket No. ESX C-
))
LEAD INDUSTRIES ASSOCIATION,)	
INC., AMERICAN CYANAMID)	
COMPANY, ATLANTIC RICHFIELD)	
COMPANY, E.I. DUPONT DE)	
NEMOURS AND COMPANY,)	COMPLAINT AND DEMAND FOR
THE O'BRIEN CORPORATION,)	TRIAL BY JURY
CONAGRA GROCERY PRODUCTS)	
COMPANY, THE GLIDDEN COMPANY,)	
NL INDUSTRIES, INC., SCM)	
CHEMICALS, THE SHERWIN-)	
WILLIAMS COMPANY, and JOHN DOE)	
CORPORATIONS;)	
Defendants.)	

The City of Newark, New Jersey, (the "City") by and through its Mayor, and its Mayor Sharpe James by way of complaint says:

1. Mayor Sharpe James ("James") brings this action for and in the name of The City of Newark pursuant to its constitutional, statutory, common law, and/or equitable authority. James has filed this action seeking to hold the manufacturers of lead pigments used in paint (hereinafter

“Lead”) and their trade association liable for the injury they caused, individually and in concert by their conduct, creating or contributing to a public nuisance and/or a false sense of security and safety regarding the use of Lead in homes and buildings. This action, which sounds in equity and common law, seeks to recover from the Defendants the costs of responding to the presence of Lead in public and private buildings throughout the City and/or detecting and/or abating Lead from public and private homes and buildings throughout the City, as well as reimbursement of all money paid for the expenses and costs that the City has incurred, continues to incur and will incur in the future, in providing health care and other services to the citizens of the City who suffer, or who have suffered, or will suffer from the presence of Lead in public and private buildings throughout the City as a result of the actions of Defendants.

I. PARTIES

A. PLAINTIFFS

2. The City of Newark is a political subdivision of the State of New Jersey, a sovereign state of the United States.
3. Sharpe James is the duly elected Mayor of the City of Newark.

B. DEFENDANTS

4. Lead Industries Association, Inc. (“LIA”) is a New York corporation with its principal place of business in the State of New York.
5. American Cyanamid Company (“American Cyanamid”), individually and as the successor-in-interest to the John R. MacGregor Co., is a Maine corporation with its principal place of business in New Jersey.

6. Atlantic Richfield Company ("Atlantic Richfield"), the successor-in-interest to International Smelting and Refining Company and Anaconda Lead Products Company, is a Delaware corporation with its principal place of business in California.
7. E.I. Du Pont de Nemours and Company ("Du Pont") is a Delaware corporation with its principal place of business in Delaware.
8. The O'Brien Corporation ("O'Brien"), the successor-in-interest to W.P. Fuller Company and Fuller-O'Brien, is an Indiana corporation with its principal place of business in Indiana.
9. The Glidden Company ("Glidden") is a Delaware corporation with its principal place of business in Ohio.
10. NL Industries, Inc. ("NL Industries"), formerly known as the National Lead Company, is a New Jersey corporation with its principal place of business in Texas.
11. SCM Chemicals ("SCM"), the successor-in-interest to The Glidden Company, is a Delaware corporation with its principal place of business in New York.
12. The Sherwin-Williams Company ("Sherwin-Williams") is an Ohio corporation with its principal place of business in Ohio.
13. ConAgra Grocery Products Company ("ConAgra"), a successor-in-interest to W.P. Fuller Company, the W.P. Fuller Paint Company and WPF, Inc., is a Delaware corporation with its principal place of business in California.
14. John Doe Corporations are business entities, both domestic and foreign, whose identities are presently unknown to plaintiff, but who can be described as certain manufacturers, distributors, and/or trade organizations and other such entities that have, at times pertinent to the complaint, individually and/or jointly and/or through their agents, alter egos,

subsidiaries, divisions or co-conspirators, manufactured, marketed, promoted and/or sold Lead in the State and/or materially participated with, conspired with, assisted, encouraged, acted in concert with, aided and/or abetted one or more of the other Defendants in doing so.

15. At all pertinent times, the LIA, American Cyanamid, Atlantic Richfield, du Pont, O'Brien, Glidden, NL Industries, SCM, ConAgra and Sherwin-Williams, together with their agents, servants, employees, alter egos, co-conspirators and aiders and/or abettors (collectively "Defendants") acted individually and/or in the course of their agency, servitude, employment and conspiracy and in furtherance of the business of the Defendants and of the conspiracy.
16. From at least 1928 through the present, the LIA was the agent, servant, employee, alter ego, co-conspirator, aider and/or abettor of one or more of the Defendants and acted individually and/or within the scope of its agency, servitude, employment and conspiracy.

II. JURISDICTION AND VENUE

17. This Court has personal jurisdiction over each Defendant. Defendants, individually, jointly and/or through their agents, alter egos, subsidiaries, divisions and or co-conspirators, manufactured, marketed, promoted and/or sold Lead in New Jersey or for use in New Jersey and/or materially participated with, conspired with, assisted, encouraged, acted in concert with, aided and/or abetted one or more of the other Defendants in doing so. These actions occurred within and outside New Jersey and caused injury to the City.

III. CONDUCT ALLEGATIONS

18. Lead is hazardous.

19. Lead is hazardous because exposure of children to Lead causes severe and permanent injuries, including, but not limited to learning disabilities, decrements in intelligence, and deficits in a wide range of neuropsychological functioning, including visual motor skills, fine motor skills, verbal skills, attention and concentration, memory, comprehension and impulse control. It can also cause coma, seizure and death.
20. Although the use of Lead was banned for residential use in the United States in 1978, Lead is still present in and on many homes, schools, hospitals and other public and private buildings throughout the City. The presence of Lead in these buildings poses a health hazard to citizens of the City.
21. The Defendants knew since the early 1900's that Lead is hazardous to human health.
22. Beginning in at least 1904, Lead was recognized by the Defendants and members of the medical and scientific community, but not the general public, as a source of childhood lead poisoning. For example:
 - a. In 1904, before it became a manufacturer of Lead, Sherwin-Williams published an article warning that white lead is "poisonous in a large degree, both for the workmen and for the inhabitants of a house painted with white lead colors."
 - b. By at least 1912, National Lead excluded women and children from working in its white lead processes because of risk of lead poisoning.
 - c. In 1914, an account of a case of childhood lead poisoning was published in the United States. Before that date, numerous reports of childhood lead poisoning were published in other countries.

- d. Between 1904 and 1955, scores of articles were published in medical and scientific literature relating to the health hazards of Lead exposure.
- 23. The Defendants also had actual knowledge that Lead is hazardous to human health.
 - 24. The Defendants also had knowledge and obtained knowledge of the hazards of Lead through membership and involvement in trade associations.
 - 25. For example, during the 1930's, National Lead, Sherwin-Williams and Glidden were Class A members of the National Paint, Varnish & Lacquer Association ("NPVLA"):
 - a. In 1939, all Class A members received a memo from NPVLA with the words "CONFIDENTIAL Not for Publication" appearing in the heading. This memo put its members on notice that Lead is toxic to humans.
 - b. The 1939 NPVLA memo also put its members on notice that their failure to warn of those hazards or their attempts to conceal truth about the nature of Lead would expose them to liability.
 - 26. The Manufacturing Defendants also had knowledge and obtained knowledge of Lead's hazardous properties through the LIA, which was organized in 1928. For example:
 - a. By 1931, each of the Manufacturing Defendants (except du Pont) was a member of the LIA.
 - b. By 1930, the LIA had internally acknowledged the dangers of Lead on children's toys and furniture.
 - c. By 1933, the LIA internally suggested that its members consider discontinuing the use of Lead on children's toys and furniture. Nevertheless, the Defendants continued

to market and/or promote Lead for use on interiors, furniture, schools, hospitals and areas that were readily accessible to children.

27. Not only did the Defendants possess knowledge of the hazards posed by Lead, but they were aware that the problem of Lead poisoning was most critical in poor communities and that welfare programs would be forced to bear the burden. For example:

- a. In 1955, Manfred Bowditch ("Bowditch"), the LIA's Director of Health and Safety, published the following to all LIA members:

childhood lead poisoning is common enough to constitute perhaps my major "headache," this being in part due to the very poor prognosis in many such cases, and also to the fact that the only real remedy lies in educating a relatively ineducable category of parents. It is mainly a slum problem with us, estimated by Kehoe to run into four figures annually, and as we have no monopoly on either substandard housing or substandard mentalities in the USA

- b. In a 1958 LIA Quarterly Report that was distributed internally to LIA members, Bowditch published the following letter from Huntington Williams, M.D., Baltimore Commissioner of Health to the Mayor of the City of Baltimore:

A tragic note was struck in the city's health picture on Monday of this week when a two-year old child died of lead paint poisoning.

* * *

Any preventable death is a tragic circumstance, but in lead paint poisoning in children the outlook is bleak for those who do not recover from the disease. There may be permanent brain damage and paralysis, and the child becomes a life-long drain on the family, if it can bear the expense and the mental strain, or on the community.

- c. Despite this letter, in the same Quarterly Report, Bowditch propounded that:

[o]ne can readily understand why, to the operator of a smelter in California or a lead products plant in Texas, the doings of slum children in our eastern cities may seem of little consequence, and it is with the hope of emphasizing the adverse effects on the Lead

Industries, in terms of continuing detrimental publicity, of the extremely difficult problem of childhood lead poisoning.

d. Again, in the same 1958 Quarterly Report, Bowditch noted the following:

Childhood Lead Poisoning - The seemingly unending problem of lead poisoning in small children, mainly confined to the slums of our older cities, is a continuing subject of study and preventive effort.

* * *

[I]t must be borne in mind that every such case is a potential source of most damaging publicity, and that many of the surviving children may be permanently mentally retarded.

28. Despite their knowledge that Lead, when used as intended, was likely to cause injuries to residents in the City and to the City itself, the Defendants continued to heavily and recklessly promote Lead and its use.
29. The Defendants intentionally and/or fraudulently misrepresented the hazardous nature of Lead.
30. The Defendants intentionally and or fraudulently failed to disclose the hazardous nature of Lead.
31. The Defendants engaged in promotional campaigns that failed to disclose the dangers of using and exposing children to Lead.
32. The Defendants intentionally misrepresented that Lead fostered health and well-being and could be used safely on interior and exterior residential surfaces where the presence of children was likely.
33. For example, National Lead's publication, Dutch Boy Painter, misrepresented that Lead is safe and actually beneficial to humans. The publication claimed, among other things, the following:
 - In 1923, "Lead Helps to Guard Your Health."

- In 1923, "While lead is invaluable in assuring comfort and proper sanitation, its best-known and most widespread use is as white-lead in paint."
 - In 1927, "There is no cause for worry when fingerprint smudges or dirt spots appear on a wall painted with Dutch Boy white lead . . . painted walls are sanitary, cheerful and bright."
 - In 1923, "If a wall is covered with a good water proof coat of paint such as produced with white-lead-oil, its smooth surface is easily washed and need never afford a resting place for germs. That is why every inch of surface in a hospital is painted."
 - In 1928, "In short we recommend pure lead paint without reservations as a safe, time-tested paint to use on your house."
 - In 1932, "One hundred pounds of heavy paste white-lead thinned with two gallons of flattening oil make a good heavy body paint suitable [for use in nurseries]."
34. For example, Sherwin-Williams followed a similar course of concealment, deception and misrepresentation. Despite its knowledge, Sherwin-Williams' advertisements for its Lead-containing paints failed to disclose the dangers of using and exposing children to Lead:
- In a 1924 advertisement for Lead-containing paint, Sherwin-Williams claimed "Cousin Susie says her health improved instantly" after painting her home with Lead-containing paints.
 - In 1936, Sherwin-Williams proclaimed that its Lead-containing "Semi-Lustre" paint was "[u]nexcelled for bathrooms . . . kitchens . . . stairways . . . nurseries . . . recreation rooms . . . all woodwork."
35. For example, Glidden, despite its knowledge, failed to disclose the dangers of using and exposing children to Lead in their advertising, and actively marketed its Lead-containing paint for use in areas accessible to children, and misrepresented the health effects of Lead:
- In 1936, after noting that "[p]aint brings . . . sanitation to the school," Glidden specified "Florenamel" and "Jap-a-Lac," both Lead-containing paints, for school classrooms.
 - In 1936, Glidden described a play area painted with Lead-containing paint as "[a] good idea for giving small tots a safe, pleasurable place to play." Lead-containing

"Jap-A-Lac" paint was recommended for children's furniture. Lead-containing "Florenamel" paint was specified for the floor.

36. Through the LIA, each Defendant knowingly, intentionally, fraudulently omitted adequate warnings about Lead paint and coatings hazards, concealed information about the deleterious effects of Lead and deceived consumers and local, state and federal regulators.
37. Despite the Defendants' knowledge regarding the hazards of Lead, the Defendants intentionally and fraudulently failed to disclose the dangers of using and exposing children to Lead. Instead, for decades the Defendants represented that Lead was a safe product, that Lead fostered health and well-being and promoted Lead for use in areas inhabited by children. In addition, they knowingly, intentionally, and fraudulently attempted to mislead the public about Lead's harmful effects on children.
38. For example, the LIA conducted an extensive promotion campaign for Lead. It stressed that this campaign was necessary because "[w]hite lead is . . . constantly subject to attack from the health standpoint." The LIA used the campaign to "help offset the constant threat of anti-lead legislation and propaganda."
39. The LIA knowingly, intentionally, fraudulently and/or negligently conducted and/or sponsored misleading advertising and promotions for Lead. For example,
 - a. A 1934 article in Lead, published by the LIA, discussed the use of Lead on the interiors of a Connecticut school. In promoting Lead for interiors, the article noted that "[t]he fifteen years of service of white lead interior is more remarkable when it is considered that it is in a school, where wear and tear on painted walls is generally great."

- b. In the September 1939 issue of Lead, the LIA promoted the use of Lead paint for interior walls, including those in children's bedrooms in low income housing.
- c. In 1952, the LIA published Lead in Modern Industry that claimed that “white lead adds more desirable qualities to paint than any other white pigment and has practically no undesirable qualities to nullify its advantages.”
- d. In a separate chapter of the same publication, the LIA acknowledged that interior and exterior Lead paints could create a risk of childhood lead poisoning. Yet, the LIA misrepresented the risk as minimal:

However, since most inside paints and paints used by manufacturers on children's furniture or toys contain no lead, a hazard usually exists only if children are allowed to chew outside paint surfaces, like porch railings, or if parents inadvertently repaint furniture with outside house paint.

- e. The LIA continued to distribute Lead in Modern Industry, containing these misrepresentations, through at least 1959.
40. The LIA also sought to suppress any unfavorable publicity about Lead without regard for the truth of such reports and despite its own knowledge about the hazards posed by Lead. For example:
- a. A paper was presented in September 1946 at the Seventh Annual Congress on Industrial Health, authored by Felix Wormser, the first secretary and treasurer of the LIA. In that paper, entitled “Facts and Fallacies Concerning Exposure to Lead,” Wormser, despite his knowledge that Lead was hazardous to human health, stated that “[c]onsidering the thousands and thousands of homes painted and protected with

white lead and the rare and doubtful occurrence of any lead poisoning to the public because of its use, I think that the record here is also in favor of lead.”

- b. The Report of the 1954 Annual Meeting of the LIA lays out some of the suppression activities undertaken by the LIA:

Hygiene: The following is a summary of our principal activities in the field of lead hygiene in 1953. The importance of this work is tremendous in preventing undue discrimination against lead.

1. Childhood lead poisoning continues to be our major ‘headache’ and source of adverse publicity. Threats of poison labeling regulations for lead paints have come from health authorities in New York, Chicago, and some other cities. We are working with the Paint Association to combat these moves.
2. The research on childhood plumbism at Johns-Hopkins, supported by our grant of \$10,000 was completed in October and a report is expected momentarily.
3. Results of similar work, supported by us for a number of years at Harvard, will soon be published in two papers in the American Journal of Diseases of Children. These findings and those in item 2 should provide us with valuable facts useful in combating the movements reported in 1.

* * *

9. Our investigation, including over 150 analyses of water from red-lead-painted tanks, has enabled us to stop publication of a paper somewhat unfavorable to red lead and secure a promise of revision.

* * *

13. Adverse publicity at the rate of 30 to 40 newspaper items per month has appeared on the effects of lead on children, adults, livestock and wildfowl. Wherever possible these have been followed up with a view to correcting misconceptions and misstatements, often with gratifying results.

- c. The LIA developed a ‘health and safety division.’ Despite its name, the division’s concern was the financial success of the LIA’s member companies and not the health

and safety of the general public, as evidenced in the following excerpt from the minutes of LIA's 1958 Annual Meeting of Members:

Directly or indirectly, the intent of all our health and safety work is to be of service to industry, but certain of its components are so specifically of that nature as to warrant mention in this category. Outstanding here has been the effort to forestall the publication by the Public Health Service of a report inevitably damaging to the 50-year-old custom of coating the interiors of potable water tanks with red lead paint, a proposal reactivated last fall by the producer of a competitive paint.

- d. The following excerpt from the LIA's 1959 Annual Report emphasizes the mission and role of the 'health and safety' division:

I want to stress one other important phase of our activities. That is our health and safety work. I can not overemphasize its importance. The toxicity of lead poses a problem that other nonferrous industries generally do not have to face. Lead poisoning, or the threat of it, hurts our business in several different ways. While it is difficult to count exactly in dollars and cents, it is taking money out of your pockets every day.

* * *

I hope you will agree with me that our health and safety activities are not just an altruistic public service. They can also mean just as much in dollars and cents to you as any market or product development or research program can.

41. Some of the primary targets of the LIA's campaign of misrepresentation and omission were local, state and federal regulators, and one of its goals was to prevent regulation of Lead. For example:
- a. In a 1956 LIA report, Bowditch credited the health and safety division with thwarting government attempts to impose labeling requirements on Lead despite Bowditch's knowledge that it was toxic and poisonous:

This has been quite successful to date, with the elimination of objectionable wording from a labeling requirement of the U.S.

General Services Administration the most recent episode. Modification of the New York City lead paint labeling regulation was secured by means of American Standard 266.1, prepared by a committee of the American Standards Association, sponsored by the Lead Industries Associations.

- b. Similarly, in its 1962 Quarterly Report, the LIA once again credited itself with thwarting government attempts to impose labeling requirements on Lead:

7. Poison Labels: In cooperation with the National Paint, Varnish and Lacquer Association approval was obtained from the Food and Drug Administration to drop panel poison labels from lead-containing paint. We were able to satisfy the F.D.A. that lead paints are not poisonous under the Federal Hazardous Substances Labeling Act.

42. Through the present, the Industry Defendants continue to misrepresent the health hazards of Lead and are engaged in a public relations campaign designed to generate controversy for the public about the hazards of Lead.
43. Through the present, the Industry Defendants continue to fail to warn the public, including current consumers of paint products, about the dangers of Lead. For example, the Defendants that currently manufacture paint products continue to advocate dry sanding and scraping as the preferable surface preparation techniques despite the significant risk that such practices will contaminate homes and buildings with Lead.
44. Through the present, the Industry Defendants continue to actively fight governmental (including the Center for Disease Control and the Environmental Protection Agency) regulations, rules and recommendations concerning Lead poisoning.
45. At all relevant times, the conduct of the Defendants was actuated by actual malice or accompanied by a wanton and willful disregard of persons who foreseeably might be harmed by those acts or omissions.

46. As a direct and proximate result of these and other wrongful actions by the Defendants, the City has suffered substantial damages, including, but not limited to, the costs of discovering and abating Lead, the expenditure of City funds to detect lead poisoning and provide medical and/or other care of Lead poisoned residents of the City and the costs of education programs for residents of the City due to the dangers present as a result of Lead in the City. These costs continue to mount as residents of the City continue to be exposed to Defendants' Lead.

IV. CAUSES OF ACTION

COUNT ONE **(FRAUD)**

47. The City realleges and incorporates herein by reference the foregoing paragraphs of this Complaint.
48. As set forth above, since at least the early 1900's, the Defendants have known that Lead is hazardous to human health.
49. As set forth above, despite this knowledge, Defendants, individually and in concert, through their own public pronouncements and communications and those of their trade association, affirmatively misrepresented the safety, suitability and qualities of Lead.
50. As set forth above, despite this knowledge, Defendants, individually and in concert, through their own public pronouncements and communications and those of their trade association, made intentional omissions of material facts to the public regarding the safety, suitability and qualities of Lead.
51. At the time such statements were made, Defendants knew that they were materially false, incomplete and fraudulent.

52. Defendants' statements were made to the public at large for the purpose of influencing the sale and use of Lead.
53. Defendants' fraudulent misrepresentation and omissions created a false sense of security in the public regarding the safety of Lead and its use.
54. As a direct and proximate result of the Defendants' fraudulent misrepresentations and omissions, the City has suffered and will continue to suffer substantial injuries and damages as described above.
55. The Defendants are jointly and severally liable for the damage suffered by the City as a direct and proximate result of their fraudulent misrepresentations and omissions.

COUNT TWO
(PUBLIC NUISANCE)

56. The City realleges and incorporates herein by reference the foregoing paragraphs of this Complaint.
57. The presence of Lead in and on homes and buildings throughout the City constitutes a public nuisance.
58. The Defendants are liable for the public nuisance referenced above because they created and/or maintained an environmental hazard that continues and will continue to endanger the safety or health of a considerable number of persons.
59. The City hereby petitions the Court for an order requiring the Defendants to abate the public nuisance referenced above.
60. As a direct and proximate result of the public nuisance created by the Defendants, the City has suffered and will continue to suffer substantial injuries and damages, as described above.

61. The Defendants are jointly and severally liable for the damage suffered by the City as a direct and proximate result of their conduct.

COUNT THREE
(CIVIL CONSPIRACY)

62. The City realleges and incorporates herein by reference the foregoing paragraphs of this Complaint.
63. Defendants knowingly, willingly and wantonly combined and agreed with one another to conceal the known hazards of Lead, to mislead the public and the government as to those hazards, and to market and promote the use of Lead despite such knowledge of the hazards.
64. Defendants conspired for the purpose of unlawfully accomplishing the unlawful ends described herein.
65. One or more of the defendants undertook substantial overt acts in furtherance of these purposes.
66. As a direct and proximate result of the Defendants' conduct, the City has suffered and will continue to suffer substantial injuries and damages as described above.
67. The Defendants are jointly and severally liable for the damage suffered by the City as a direct and proximate result of their conduct.

COUNT FOUR
(UNJUST ENRICHMENT)

68. The City realleges and incorporates herein by reference the foregoing paragraphs of this Complaint.

69. The City's payment of these various costs, abatement and/or other costs associated with Lead conferred a benefit on the Defendants.
70. While the City paid for and continues to pay for the costs described above, the Defendants have derived and continue to derive direct and indirect revenues from the sale of Lead.
71. Because the City has paid for and continues to pay for the costs described above, the Defendants have avoided the substantial costs of litigation associated with the injuries and damages caused by their conduct not only to the City but also to its residents and landlords.
72. The revenue Defendants derived from the sale of Lead and from the City's payment of the various costs set forth above continued after the sale of the Lead as the Defendants' reinvested this revenue.
73. The Defendants appreciated the benefits that the City has conferred and continues to confer upon them by paying for the aforementioned costs associated with Lead. As a direct and proximate result, Defendants have been unjustly enriched to the extent that the City has paid and continues to pay these costs and to the extent that the Defendants have realized increased revenue from the sale of Lead and/or avoided the costs, both direct and indirect, associated with the litigation discussed above.
74. The Defendants' conduct makes it inequitable and unjust for them to retain the benefits conferred upon them by the City and or the residents of the City.

COUNT FIVE
(INDEMNITY)

75. The City realleges and incorporates herein by reference the foregoing paragraphs of this Complaint.

76. As a direct and proximate result of the Defendants' conduct, the City was obligated to pay, has paid, and in the future will have to pay for the care of Lead-poisoned children and adults, abating Lead hazards, and other costs associated with the hazards created by the Defendants.
77. The City has a nondelegable legally imposed duty to pay the aforementioned sums even though it did not conduct itself in any wrongful manner in being so obligated to pay and in paying the aforementioned sums.
78. The City's expenditures for the aforementioned sums arose because of the Defendant's intentional and/or other wrongful conduct.
79. As between the City and the Defendants, the obligation to pay for abating Lead hazards, and other costs associated with Lead should be borne by the Defendants.

RELIEF REQUESTED

WHEREFORE, the City requests that this Honorable Court issue an order and judgment against Defendants, jointly and severally, as follows:

1. Judgment ordering the Defendants to fund a program to detect and abate Lead in all residences, hospitals and public and private buildings within the City accessible to children.
2. Judgment ordering the Defendants to provide a fund for lead-poisoning detection, medical monitoring and preventative screening of all children in the City.
3. Judgment ordering the Defendants to fund programs to provide public education relating to the continuing dangers posed by Lead.
4. Judgement against all Defendants for compensatory damages, plus interest.
5. Judgement against all Defendants for punitive damages.

6. An order awarding the City such other extraordinary, declaratory and/or injunctive relief as permitted by law or equity as necessary to assure that the City has an effective remedy.
7. An order awarding to the City in addition to any other relief granted all costs, expenses and fees incurred in the prosecution of this action including but not limited to expert and attorneys' fees both in-house and outside counsel.
8. For such other and further relief as the Court deems equitable, just and proper.

WILENTZ, GOLDMAN & SPITZER, P.C.
A Professional Corporation
Attorneys for Plaintiffs

By: _____
Christopher M. Placitella, Esq.

GORDON & GORDON, P.C.
A Professional Corporation
Attorneys for Plaintiffs

By: _____
Michael Gordon, Esq.

Dated: December ___, 2001

Please direct all Court correspondence to Wilentz, Goldman & Spitzer, P.C.

DEMAND FOR TRIAL BY JURY

Plaintiffs demand a trial by jury on all issues.

WILENTZ, GOLDMAN & SPITZER, P.C.
A Professional Corporation
Attorneys for Plaintiffs

By: _____
Christopher M. Placitella, Esq.

Dated: December ___, 2001

CERTIFICATION

The undersigned certifies that to the best of my knowledge this matter is not the subject of any other legal or arbitration proceeding in the Courts of New Jersey. The undersigned further certifies that to my knowledge no other persons would be party to this matter other than those named in this Complaint.

WILENTZ, GOLDMAN & SPITZER, P.C.
A Professional Corporation
Attorneys for Plaintiffs

By: _____
Christopher M. Placitella, Esq.

Dated: December ___, 2001